

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF PENNSYLVANIA

IN RE: NATIONAL FOOTBALL LEAGUE
PLAYERS' CONCUSSION INJURY LITIGATION

No. 2:12-md-02323-AB
MDL No. 2323

Kevin Turner and Shawn Wooden, on behalf
of themselves and others similarly situated,

Plaintiffs,

v.

National Football League and NFL Properties, LLC,
successor-in-interest to NFL Properties, Inc.,

Defendants.

THIS DOCUMENT RELATES TO:
ALL ACTIONS

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ALL ACTIONS.

NOTICE OF MOTION OF NOTICE OF APPEAL

Notice is hereby given that Gwain Dueden, Plaintiff apart of Class members in the above-Captioned case, hereby APPEALS to the United States District Court from the order of this Court (Notice to Rejection of Claim), stated it notice or comments (Aug. 12, 2022). {If the Order appealed From is an order suppressing or excluding evidence or requiring the Administration Motion to File Under Seal Pursuant to Civil L.R. 7-11 and 79-5 and supporting materials filed by Direct Purchaser Class (Gwain Dueden) class member plaintiff include the following language: "I (Gwain Dueden) hereby certify that the appeal is not taken for purpose of delay and that the Evidence is a substantial proof of a fact material in the proceeding."}. Claimant Gwain Dueden #950016249 will seek an "Objection of Justice" investigation if it is proven that Civil Rights and HEALTH INSURANCE PORTABILITY and ACCOUNTABILITY ACT of 1996 (HIPAA) is a Federal law that required the creation of national standards to protect sensitive patient health

Information from being disclosed without the patients consent or knowledge. Claimant did
PLAY IN THE (NFL) and did in fact experience many of the side effects forcing a recall
Of the (CONCUSSION INJURY) and GRANTED relief in support of the Motion for
Final Approval of Class Action Settlements.

Dated:

Aug. 18th, 2022

Ken Whitfield
Plaintiff (yes)
Deceased

Morrison offered a full scholarship.

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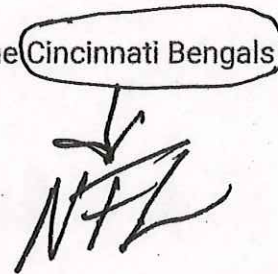
In his freshman year in 1977 before he even played a game he was chosen over the sports team game program with running back Mike Smith and Coach Morrison. The coaches quickly realized what they had, and he went on to prove his potential as a freshman running back when he ran for more than a thousand yards that season. These were the days when defense won championships and thousand yard running were scarce at best. He ran for 1,045 yards and seven touchdowns and led the Mocs to their first of three straight Southern Conference Championships. He and Smith, who ran for 1,030 yards, were the first freshman duo in history to run for a combined 2000 yards.

Gwain and Mike Smith became the dynamic duo at UTC. Although Mike bested him by 45 yards the first year, Gwain led the team in rushing yards for the next three years. Gwain was second all-time in rushing in the Southern Conference with 3,686 yards during his four years. He accomplished that even with an ankle sprain that hobbled him during the last three games of his junior year. Many observers believe he would have easily eclipsed the 4000 yard mark without the injury. He was seventh all time in in the Southern Conference with 540 attempts but second at 6.8 yards per carry.

UTC was 33-9-2 in his four years which included Southern Conference Championships in 1977, 1978, and 1979. His 93.3 yards per game average in 1978 led the Southern Conference. Gwain was inducted into the UTC Hall of Fame in 1988, and he was named to the UTC All-Century Team in 2003.

He signed with the Toronto Argonauts of the Canadian Football League in 1981 but never seemed comfortable playing Canadian football where the passing attack was primary and running the football seemed to be little more than an effort to let receivers catch their breath. It was during that time that rumors of alcohol and substance abuse really began to circulate.

After he was released from the Argonauts he was given a tryout with the Cincinnati Bengals but cut before the regular season began.



His high school teammates remembered him as a dedicated athlete who very much wanted to play college and professional football and he had the physical tools to reach those goals. Close friends said that Gwain...

I.D.# 950016248



Saturday, July 16, 2022
2:00 p.m.

First AB Missionary Baptist Church
Vidalia, Georgia
Elder Mark Durden, Eulogist
Rev. Carl Wardlaw, Pastor

ORDER OF SERVICE

- PRESIDING**
Evangelist Lucille Jones
- PROCESSIONAL**
- SONG**
Choir
- PRAYER OF COMFORT**
Minister Rosa Smith
- SCRIPTURE**
Bishop John Lester Jr.
- SOLO**
Monica Gaffney, As I Know Him
- HIGH SCHOOL COACH, REIDSVILLE, GA**
Ronnie McCall
- REMARKS/REFLECTIONS**
Friends or family (2 people, 3 minutes)
- ACKNOWLEDGMENTS**
- SOLO**
Raymond Collins
- EULOGY**
Elder Mark Durden
- FINAL GLANCE**

"Lil Johnson Corner Baby"



Thank You

Our hearts are full of gratitude and thanks to Family members, friends, and neighbors for all acts of kindness and sympathy. Your loving kindness will be etched in our hearts forever.

The Family

Services Entrusted To:
Vidalia Funeral Home • 106 Pine Street • Vidalia, Georgia
(912) 537-8887

OBITUARY

Gwan Durden was born to Irene Durden Looze and Charles Mitchell on September 9, 1956, in Lyons, Ga. He attended Tompkins Central and Reidsville High School. While attending Reidsville High he was awarded with several track awards ranging from 100 yds relays all the way down to triple jumps. He went on to further his career by attending the University of Tennessee located in Chattanooga. While attending the University he accomplished many great things that landed him in UTC's Hall of Fame. One of his many achievements was the role of he served as Chattanooga first freshman duo in NCAA history to rush for 1,000 yds. Gwan was also tied for UTC's School record with 15 100 yard rushing games. He was also named to the All-Southern team in 1979 and was Chattanooga's most trusted running back in 1980. Durden set another school record in 1979 with his 7.8 yds per carry. He finished the 2nd highest mark in SoCon history. He was also named to the MNC's All 1st place team in 2003. While looking over Mr. Gwan Durden's life journey we can see that he left a NCH legacy behind. We can also see that he was a multi-talented individual with much to offer his world. Gwan wasn't only a phenomenal athlete, but also a loving son, brother, uncle, and friend, and one that we missed and miss to this day.

Mr. Durden is survived by 1 son, 10 nieces, and 10 nephews. (Devoted Sisters) Dianne Hodge (Sister) Dorey (Sister) Cynthia Martin, and a beloved Brother (Brother) Hukui Mar. He is also survived by his beloved Nieces and Nephews: Latoya Durden, Daphnie Hodge, Shenna (Sister) Latasha Martin, O'Jah, Alton, Derrick Hodge, Kume Mar, Mole Mar, Tanara (Sister) and Ego Ra Martin.

At a time of grief, we ask for prayers and friends.



Email: Claims Administration@NFLConcussionSettlement.com

APPENDIX A

NFL**CONCUSSION SETTLEMENT**IN RE: NATIONAL FOOTBALL LEAGUE PLAYERS' CONCUSSION INJURY LITIGATION
No. 2:12-md-02323 (E.D. Pa.)

AUTHORIZATION FOR RELEASE OF CLAIMS INFORMATION

A. Settlement Class Member

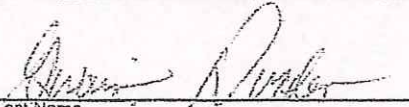
Name:	Last Name DURDEN	First Name GWAZAL	Middle Initial
Settlement Program ID:	950016248		

B. Specifically Authorized Recipient

Name:	Last Name MITCHELL	First Name GLENN	Middle Initial W.
Organization:	Full Name of Organization N/A		
	Street P.O. Box 490354		Apt/Suite/Unit
	City College Park	State GA	Zip Code 30849
	Telephone (404) 604-0706	Email gwmitchell123@gmail.com	
	Purpose of Disclosure (briefly describe the purpose for which the recipient will use this information): TO AID IN HELPING TO HELP MR. DURDEN CONCUSSION INJURIES WHICH CAUSING A LOT OF MENTAL SUFFERING. (HEADACHE, DIZZINESS ETC)		

C. Signature

I authorize the NFL Concussion Settlement Program (the "Program") to release to the Specifically Authorized Recipient named above all information and documents regarding any claim I have submitted to the Program. My consent to release of my Claims Information, which includes Protected Health Information, and documents shall continue to be in force and effect unless and until I notify the Program in writing that I revoke this authorization.

Signature:			
Name of Person Signing	Last Name Gubin	First Name Durdew	Middle Initial
Representative Capacity (If Settlement Class Member is Deceased, a Minor, or Legally Incapacitated):	MR. DURDEN IS LEGALLY INCAPACITATED. MR. DUBO AGREED ON FEB. 19TH, 2022. AND AS REPRESENTATIVE OF CLAIMANTS IN ALL MATTERS		
Date:	04/25/2022 (Month/Day/Year)		

NFL CONCUSSION SETTLEMENT

IN RE: NATIONAL FOOTBALL LEAGUE PLAYERS' CONCUSSION INJURY LITIGATION
No. 2:12-md-02323 (E.D. Pa.)

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Settlement Class Member Information

Settlement Program ID: 950016248

Name: Gwain Durden

Address: P.O. Box 0354, Atlanta, GA
United States 30349-0354

SCM Type: Derivative Claimant

Claim Package Status:

Registration Status: Notice of Incomplete Registration
Issued

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Registration Form

All Settlement Class Members, whether a Retired NFL Football Player, a Representative Claimant, or a Derivative Claimant, must register to be eligible for benefits. Please complete this information to the best of your ability. If you need assistance call 1-855-887-3485.

EVERYONE MUST SELECT ONE OPTION BELOW

☐ I am a **Retired NFL Football Player**.

☐ I am a **Representative Claimant**. I have a legal right to act on behalf of a Retired NFL Football Player.

☒ I am a **Derivative Claimant**. I have certain legal rights because of my relationship with a Retired NFL Football Player.

Identity of Retired NFL Football Player

Everyone must complete this section.

* Name of Retired Player : Gwain

Durden

--Suffix--

* Retired Player's Social Security Number,
Taxpayer ID, or Foreign ID Number (if not U.S.
citizen)

Social Security Number/Individual Taxpayer Identification Number

Foreign ID Number

259 - 13 - 7345

I do not know the Retired Player's Social Security Number, Individual
Taxpayer Identification Number, or Foreign ID Number at this time.

* Retired Player's Date of Birth : September 09 1959

Retired Player's Professional Football Employment History (if known):

Please complete this section to the best of your ability by clicking add new link to enter his NFL Football
Employment Information, as shown in the example.

Team	From	To
EXAMPLE: New York Giants	2001	2005

[Add Employment
History](#)

Team Name:

From:

To:

[Add History](#)

[Cancel](#)

For Derivative Claimants Only

As a Derivative Claimant, you must complete this section.

A Derivative Claimant is a spouse, parent, child who is a dependent, or any other person who properly under applicable
state law asserts the right to sue independently or derivatively by reason of their relationship with a Retired NFL
Football Player.

* Your Name: Gwain

Durden

--Suffix--

* Country: USA

Foreign

United States

Your Mailing Address: * Address 1: P.O. Box 0354

Address 2:

* City: Atlanta

* State: Georgia

* Zip/Postal Code: 30349 - 0354

* Your Telephone Number: 912 - 332 - 9934

* Your Email Address: gwmitchell724@gmail.com

* Preferred Method for Us to Communicate
with You: Online Portal

* What is your relationship to the Retired
NFL Football Player? Other Uncle

Attorney Information

- * ☐ I do not have an attorney representing me in connection with this program
☐ I do have an attorney representing me in connection with this program.

Verification

This Form is an official document submitted in connection with the Class Action Settlement in *In re: National Football League Players' Concussion Injury Litigation*, No. 2:12-md-2323 (E.D. Pa.). By clicking **Verify**, I declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that all information provided in this Registration Form is true and correct to the best of my knowledge, information and belief.

[Verify](#) [View Registration Form](#)


**NFL CONCUSSION SETTLEMENT CLAIM FORM
FOR RETIRED NFL FOOTBALL PLAYERS AND REPRESENTATIVE CLAIMANTS**

X. DUTY TO UPDATE

You must promptly notify the Claims Administrator of any changes or updates to the information in your Claim Form, including any changes in your medical condition, whether a person or entity asserts a lien or entitlement to any monies received under the Settlement Agreement, and any change in mailing address.

XI. SIGNATURE

By signing below, I declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that all information provided in this Claim Form, and in any attachments, is true and correct to the best of my knowledge, information, and belief.

Signature		Date	10/21/09 10/21/22 (Month/Day/Year)
Printed Name	Gwain	M.I.	Durdan



Automatic reply: Gwain Durden #950016248

1 message

NFL Claims Administrator <claimsadministrator@nflconcussionsettlement.com>
To: Glenn Mitchell <gwmitchell724@gmail.com>

Tue, Jul 26, 2022 at 11:21 PM

This is an official communication from the Claims Administrator of the NFL Concussion Settlement.

Thank you for your email. This is an automated response. We will respond as fast as we can, but it could be one business day or more before you hear back from us.

In the meantime, we encourage you to visit the [Frequently Asked Questions \(FAQs\)](#) page of the Settlement Website, which offers detailed information about the Settlement Program, including things like Registration, the Baseline Assessment Program, Monetary Award claims, Representative Claimants, Derivative Claimants, payments and Audit. The FAQs are the "rules of the road" in the Settlement Program, subject to the terms of the Settlement Agreement.

While on the Settlement Website, you also may want to visit the [Forms](#) page to find downloadable, printable versions of official Settlement forms (for example, Claim Forms, Diagnosing Physician Certification Forms, [HIPAA Forms](#), Representative Claimant materials and payment documents) or one of the pages under the Documents menu option to read important alerts from the Claims Administrator, reference guides, newsletters, or published decisions of the Court and Special Masters. If you are interested in seeing charts and tables that summarize data on Registration and claims, [click here](#) to view reports published by the Claims Administrator.

Claims Administrator
NFL Concussion Settlement

BROWN GREER PLC

Telephone: (855) 887-3485

ClaimsAdministrator@NFLConcussionSettlement.com

www.NFLConcussionSettlement.com

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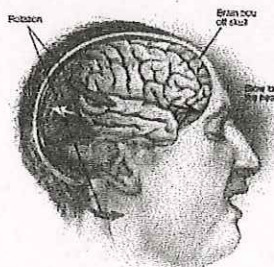
concerns you, call your child's doctor immediately. Depending on the signs and symptoms, your doctor may recommend seeking immediate medical care.

- **Memory problems.** See your doctor if you have concerns about your memory or other thinking (cognitive) or behavior problems.
- **Personality or mood changes.** See your doctor if depression, anxiety, aggression or impulsivity occur.

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Causes

Repetitive head trauma is likely the cause of C.T.E. Football and ice hockey players, as well as military personnel serving in war zones, have been the focus of most C.T.E. studies, though other sports and factors such as physical abuse also can lead to repetitive head injuries.



However, not all athletes and not everyone who experiences repeated concussions, including military personnel, go on to develop C.T.E. Some studies have shown no increased incidence of C.T.E. in people exposed to repeated head injuries.

Concussion

In brains with C.T.E., researchers have found that there is a buildup of a protein called tau around the blood vessels. Tau buildup in C.T.E. is different from accumulations of tau found in Alzheimer's disease and other forms of dementia. C.T.E. is thought to cause areas of the brain to waste away (atrophy). Injuries to the sections of nerve cells that conduct electrical impulses affect communication between cells.

It's possible that people with C.T.E. may show signs of another neurodegenerative disease, including Alzheimer's disease, amyotrophic lateral sclerosis (ALS) — also known as Lou Gehrig's disease — Parkinson's disease or frontotemporal lobar degeneration (frontotemporal dementia).

Risk factors

Repeated exposure to traumatic brain injury is thought to increase the risk of C.T.E., but experts are still learning about the risk factors.

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Experts are still trying to understand how repeated head traumas — including how many head injuries and the severity of those injuries — and other factors might contribute to the changes in the brain that result in CTE.

CTE has been found in the brains of people who played football and other contact sports, including boxing. It may also occur in military personnel who were exposed to explosive blasts. Some signs and symptoms of CTE are thought to include difficulties with thinking (cognition) and emotions, physical problems and other behaviors. It's thought that these develop years to decades after head trauma occurs.

CTE cannot be made as a diagnosis during life except in those rare individuals with high-risk exposures. Researchers do not yet know the frequency of CTE in the population and do not understand the causes. There is no cure for CTE. Researchers are currently developing diagnostic biomarkers for CTE, but none has been validated yet.

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Symptoms

There are no specific symptoms that have been clearly linked to CTE. Some of the possible signs and symptoms of CTE can occur in many other conditions. In the few people with proved CTE, signs and symptoms have included cognitive, behavioral, mood and motor changes.

Cognitive impairment

- Difficulty thinking (cognitive impairment)
- Memory loss
- Problems with planning, organization and carrying out tasks (executive function)



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Chronic traumatic encephalopathy

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Chronic traumatic encephalopathy (CTE) is the term used to describe brain degeneration likely caused by repeated head traumas. CTE is a diagnosis made only at autopsy by studying sections of the brain.

CTE is a rare disorder that is not yet well understood. CTE is not related to the immediate consequences of a late-life episode of head trauma. CTE has a complex relationship with head traumas such as persistent post-concussive symptoms and second impact syndrome that occur earlier in life.

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THE LAW!

UNDER PROTECTION OF 42 U.S.C. CIVIL RIGHTS CODE: TITLE 42; CHAP. 21;

SUBCHAP. :(1)// 1981 IS CLEARLY DEFINED AS FOLLOWS:

STATEMENT OF EQUAL RIGHTS

- (a) ALL persons within the jurisdiction of the United States shall have the same right in every State and Territory to make and enforce contracts, to SUE, be parties, give evidence, and to Full and equal benefits of ALL LAWS and proceedings for the security of PERSONS and PROPERTY As is enjoyed by WHITE citizens, and shall be subject to like punishment, pains, penalties, Taxes, licenses, and exactions of EVERY KIND and to no other.

MAKE AND ENFORCE CONTRACTS

- (b). For purpose of this section, the term "make and enforce contracts" includes the making, Performance, modification, and termination of contracts, and the enjoyment of all benefits, All privileges, terms, and conditions of the contractual relationship.

PROTECTION AGAINST IMPAIRMENT

- (c). THE RIGHTS PROTECTED BY THIS SECTION ARE PROTECTED AGAINST IMPAIRMENT BY NONGOVERNMENTAL Discrimination AND IMPAIRMENT UNDER COLOR OF STATE LAWS.

42 U.S.C.//CHAP. 21 (1) (1981) P.L 114 - 19.....

UNITED STATES CONSTITUTION AMENDMENT V; AMENDMENT VII; AMENDMENT XIV...

[Signature]
 Dept. of Justice (ref.)
 (cc) - United States of America

Certificate of Service

This is to certify that I have this day served foregoing document upon the person listed below by depositing in the United States mail, a copy of the same in the franked envelope requiring no postage for delivery.

This

Aug. 17, 2022

Plaintiff
(Rep.) Deceased

PLAINTIFF

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